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SUMMONS

Doc. No. 28944

EXHIBIT  
A

IN THE DISTRICT COURT OF Dodge COUNTY, NEBRASKA  
428 N Broad St.  
Fremont NE 68025 4962

Judith B Wohlers v. Wal-Mart Stores, Inc.,

Case ID: CI 15 143

TO: Wal-Mart Stores, Inc.,

You have been sued by the following plaintiff(s):

Judith B Wohlers

Plaintiff's Attorney: Bradley E Nick  
Address: 340 East Military  
Fremont, NE 68025

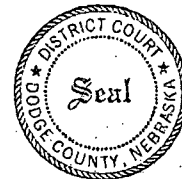
Telephone: (402) 721-7111

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Date: MARCH 26, 2015

BY THE COURT:

*Linda Nelson*  
Clerk



PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE COMPLAINT/PETITION ON:

Wal-Mart Stores, Inc.,  
CT Corporation System  
5601 South 59th Street  
Lincoln, NE 68516

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue, and file with the court clerk proof of service within ten days after the signed receipt is received or is available electronically, whichever occurs first.

IN THE DISTRICT COURT OF DODGE COUNTY, NEBRASKA

JUDITH B. WOHLERS,

Plaintiff,

vs.

WAL-MART STORES, INC.,  
A Delaware Corporation,

Defendant.

Case No. CI 15-\_\_\_\_\_

COMPLAINT

FILED  
2015 MAR 24 PM 4:06  
DODGE COUNTY, NE  
LINDA J. NELSON  
DISTRICT COURT CLERK

COMES NOW the Plaintiff, Judith B. Wohlers, by and through counsel, Bradley E. Nick of SIDNERLAW, and for her cause of action against the Defendant, Wal-Mart Stores, Inc., states and alleges as follows:

1. The Plaintiff, Judith B. Wohlers, at all relevant times mentioned herein, was a resident of Fremont, Dodge County, Nebraska;
2. The Defendant, Wal-Mart Stores, Inc., is a Delaware corporation authorized and registered to do business in the State of Nebraska, maintaining a Wal-Mart Store located at 3010 East 23<sup>rd</sup> St., Fremont, Dodge County, Nebraska;
3. On or about November 5, 2013, the Plaintiff entered the Defendant's aforementioned store in Fremont, Nebraska;
4. As the Plaintiff proceeded through the entrance of said Wal-Mart store, the Plaintiff first picked up a grocery cart and then slipped on the floor near the entrance of the Wal-Mart building where the floor had become wet due to rain during the day. The Plaintiff fell onto the hard floor resulting in a fracture to her left femur/hip and her fall also resulted in a broken rod which had been placed in her left femur/hip surgically;
5. The Defendant was negligent in failing to provide reasonable care for the protection of the Plaintiff, a customer, in one or more of the following ways:
  - A. That the injury to the Plaintiff was foreseeable in that the Defendant either created the condition, knew of the condition, or, by the exercise of reasonable care should have discovered the condition;

- B. In failing to realize the condition of the wet floor involved an unreasonable risk of harm to the Plaintiff;
  - C. In failing to realize and expect that the Plaintiff may not discover or realize the danger or fail to protect herself against the danger;
  - D. In failing to use reasonable care to protect the Plaintiff, as a customer, against the danger;
  - E. In failing to adequately prevent the build up of water due to the rain during the day and subsequently failing to dry the floor or take other measures in order to remove the risk from customers, including the Plaintiff, from slipping and falling on the floor;
  - F. In failing to adequately warn Plaintiff, as a customer of danger of the wet floor and the risk associated with the possibility of slipping and falling on the same; and
  - G. In failing to prevent Plaintiff, as a customer from walking onto or over the area which was wet.
6. As a direct and proximate result of the negligence of the Defendant to use reasonable care, the Plaintiff sustained severe painful and permanent injuries including, but not necessarily limited to the following:
- A. Fractured left femur/hip;
  - B. Contusions, discomfort and general pain; and,
  - C. Trauma, pain and suffering.
- Plaintiff has suffered in the past, and may continue to suffer in the future, serious pain and suffering related to said injuries;
7. Plaintiff further alleges the injuries may required additional medical care and treatment in the future, the extent and nature of which are unknown at this time; and,
8. That as a direct and proximate result of the negligence of the Defendant, Plaintiff has incurred medical expenses to date in the amount of \$103,000.34 and may


incur additional expenses in the future which are unknown at this time.

WHEREFORE, Plaintiff prays for Judgment against the Defendant as follows: special damages for medical bills in the sum of \$103,000.34 to date, together with all future special damages; general damages including, but not limited to, Plaintiff's pain, suffering, and any other general damages allowed by law; the costs of this action; and, for such other and further relief found lawful in the premises.

DATED this 23 day of March 2015.

JUDITH B. WOHLERS, Plaintiff

By:

  
Bradley E. Nick, #19101

**SIDNERLAW**

340 E. Military Ave., Ste. #1

Fremont, NE 68025

Ph. (402) 721-7111

*Attorney For Plaintiff*